

Message Text

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PAGE 01 TUNIS 01537 081204Z

ACTION NEA-10

INFO OCT-01 IO-13 ISO-00 ERDA-05 AID-05 CEA-01 CIAE-00
COME-00 DODE-00 EB-08 FPC-01 H-01 INR-07 INT-05 L-03
NSAE-00 NSC-05 OMB-01 PM-04 USIA-06 OES-06 SP-02
SS-15 STR-04 TRSE-00 ACDA-07 FEA-01 PA-01 PRS-01
AGRE-00 CEQ-01 CG-00 DLOS-06 DOTE-00 EPA-01 FMC-01
JUSE-00 NSF-01 SAL-01 EUR-12 /136 W
-----081215Z 070961 /17

P R 071642Z MAR 77

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC PRIORITY 5978

INFO USMISSION GENEVA

AMEMBASSY ROME

AMEMBASSY TRIPOLI

C O N F I D E N T I A L TUNIS 1537

E.O. 11652: GDS

TAGS: PLOS, ENRG, TS, LY

SUBJECT: TUNISIAN-LIBYAN OFFSHORE BOUNDARY DISPUTE AND
TRAVEL OF GOT OFFICIALS

REF: TUNIS 1227 AND PREVIOUS (NOTAL)

1. AMOR ROUROU, PRESIDENT OF TUNISIAN STATE OIL COMPANY
(ETAP) AND SADOK BELAID, DEAN OF UNIVERSITY OF TUNIS LAW
FACULTY, DEPARTED MARCH 6 FOR GENEVA (EVENSEN INTERSESSIONAL
MEETING IN LOS) WHENCE THEY WILL TRAVEL THIS WEEK TO
WASHINGTON TO CONSULT DEPARTMENT GEOGYAPHER HODGSON. INFORMED
GOT SOURCE TELLS US GOT NO LONGER BELIEVES IT AND LARG CAN
REACH AGREEMENT ON TERMS OF REFERENCE FOR REFERRAL OF CONTI-
NENTAL SHELF DISPUTE TO INTERNATIONAL COURT OF JUSTICE IN
ACCEPTABLE TIME FRAME; ESPECIALLY IN LIGHT OF RECENT INCI-
DENT INVOLVING ITALIAN DRILLING SHIP OPERATING ON BEHALF OF
LIBYANS IN DISPUTED ZONE. GOT THEREFORE SAID TO ENVISAGE
EARLY APPLICATION TO COURT ON ESSENTIALLY UNILATERAL BASIS,
PERHAPS SUGGESTING THAT JOINT COMMUNIQUE OF AUGUST 1976
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PAGE 02 TUNIS 01537 081204Z

INDICATED LARG WILLINGNESS TO SUBMIT DISPUTE TO CJ JURISDICTION.

2. WE ARE TOLD GOT HAS BEEN ENCOURAGED AS TO STRENGTH OF
ITS BOUNDARY CLAIMS IN GULF OF BAGES BOTH BY AMERICAN INTER-
NATIONAL LAWYER NORTHCUTT ELY AND BY BRITISH PROFESSOR JEN-
NINGS. ONE TOPIC ANTICIPATED FOR DISCUSSION WITH HODGSON IS
TREND IN LOS TOWARD "NEW DEFINITION" OF CONTINENTAL SHELF AS

UNDERSEA PROLONGATION OF CONTINENT WHICH, IT IS SAID, -- GIVEN RELEVANT ISOBATHS-- WOULD FURTHER FAVOR TUNISIAN CLAIMS VIS-A-VIS THOSE OF LIBYA.

3. SOURCE REFERRED TO DANGERS INHERENT IN CURRENT INCIDENT OVER ITALIAN DRILLING FOR LIBYA IN DISPUTED AREA. HE SAID CAPTAIN OF SAIPEM DRILLING SHIP "SCARABEO IV" HAD FIRST TOLD TUNISIAN AUTHORITIES HE WOULD REMOVE VESSEL FROM AREA AS SOON AS HE COULD RETRACT DRILLING OEAR AND CAP (6,000 METER) WELL. HOWEVER, HAVING CAPPED WELL, SHIP IN FACT HAS REMAINED IN AREA BECAUSE OF LARG THREAT THAT ITALIAN INTERESTS OTHERWISE WOULD FACE UNSPECIFIED CONSEQUENCES.

4. SOURCE REFERRED TO EMBARRASSING SITUATION IN WHICH ITALIANS FIND THEMSELVES, SPECULATING THAT THEIR GEOGRAPHERS HAD MADE ERRONEOUS CALCULATION THAT DRILLING SITE, PRESUMABLY CHOSEN BY AGIP (LIKE SAIPEM, AND ENI SUBSIDIARY), WAS JUST ON LIBYAN SIDE OF EQUIDISTANT LINE.

5. SOURCE INDICATED THAT (FEBRUARY 19-21) VISIT OF LARG INTERIOR MINISTER H'MIDI KHOULDI, TENTATIVELY SCHEDULED SINCE LAST DECEMBER TO OVERCOME IMPASSE AT EXPERT LEVEL IN QUEST FOR AGREED TERMS OF REFERENCE FOR ICJ, ACHIEVED NO RESULTS AND CONSISTED MAINLY OF TOURISM. SOURCE ADDED THAT AART FROM LARG'S NOW MERELY WANTING ICJ GUIDANCE ON PRINMIPLES TO APPLY IN DELINEATING BOUNDARY, ANOTHER CATCH IN LARG AP-PROACH TO HAGUE ARBITRATION HAS BEEN INSISTENCE THAT ICJ DECISION BE SUBJECT TO RATIFICATION BY RESPECTIVE NATIONAL CONSTITUTIONAL AUTHORITIES, THAT FOR LIBYA BEING SAME EXECU-CONFIDENTIAL

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PAGE 03 TUNIS 01537 081204Z

TIVE BODY THAT WOULD HAVE APPROVED SUBMISSION TO COURT.
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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8f3f81bc-c288-dd11-92da-001cc4696bcc
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